

**U.S. Bankruptcy Court
California Northern Bankruptcy Court (San Jose)
Bankruptcy Petition #: 21-50028**

Assigned to: Judge Stephen L. Johnson
Chapter 7
Voluntary
Asset

Date filed: 01/09/2021
341 meeting: 02/23/2021
Deadline for filing claims: 04/15/2021
Deadline for objecting to discharge: 04/05/2021
Deadline for financial mgmt. course: 02/23/2021

Debtor

Evander Frank Kane
2301 Richland Ave.
San Jose, CA 95125
SANTA CLARA-CA
SSN / ITIN: xxx-xx-7617

represented by **Stephen D. Finestone**
Finestone Hayes LLP
456 Montgomery St. 20th Fl.
San Francisco, CA 94104
(415) 421-2624
Email: sfinestone@fhlawllp.com

Ryan A. Witthans
Finestone Hayes LLP
456 Montgomery St. Fl. 20
San Francisco, CA 94104
(415) 481-5481
Email: rwitthans@fhlawllp.com

Trustee

Fred Hjelmeset
P.O.Box 4188
Mountain View, CA 94040
(650)386-5634

represented by **Gregg S. Kleiner**
Rincon Law LLP
268 Bush St. #3335
San Francisco, CA 94104
(415) 996-8180
Fax : (415) 680-1712
Email: gkleiner@rinconlawllp.com

U.S. Trustee

Office of the U.S. Trustee / SJ
U.S. Federal Bldg.
280 S 1st St. #268
San Jose, CA 95113-3004
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represented by **Marta Villacorta**
Office of the U. S. Trustee
280 South 1st Street, Suite 268
San Jose, CA 95113
408-535-5525
Email: marta.villacorta@usdoj.gov

Filing Date	#		Docket Text
01/09/2021		<u>1</u>	Chapter 7 Voluntary Petition for Individuals. Fee Amount \$338. Financial Management Certificate Due Prior to Discharge. Filed by Evander Frank Kane. Order Meeting of Creditors due by 01/25/2021. (Finestone, Stephen) (Entered: 01/09/2021)
01/09/2021		<u>2</u>	Statement of Social Security Number. Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 01/09/2021)
01/09/2021		<u>3</u>	Certificate of Credit Counseling Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 01/09/2021)

01/09/2021			Receipt of filing fee for Voluntary Petition (Chapter 7)(21-50028) [misc,volp7] (338.00). Receipt number 31000791, amount \$ 338.00 (re: Doc# <u>1</u> Voluntary Petition (Chapter 7)) (U.S. Treasury) (Entered: 01/09/2021)
01/09/2021			First Meeting of Creditors with 341(a) meeting to be held on 02/03/2021 at 10:30 AM via Tele/Videoconference – www.canb.uscourts.gov/calendars. Objections for Discharge due by 04/05/2021. (Finestone, Stephen) (Entered: 01/09/2021)
01/11/2021		<u>4</u>	Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, and Deadlines (Generated) (ka) (Entered: 01/11/2021)
01/12/2021		<u>5</u>	Request for Notice (<i>Request for Special Notice, Notice of Appearance, and Request for Inclusion in Master Mailing List</i>) Filed by Creditor Professional Bank (Opperwall, Stephen). DEFECTIVE ENTRY: Incorrect docket event selected. Modified on 1/13/2021 (klr). (Entered: 01/12/2021)
01/13/2021		<u>6</u>	Notice of Appearance and Request for Notice by Gerrick Warrington. Filed by Creditor Zions Bancorporation, N.A. (Warrington, Gerrick) (Entered: 01/13/2021)
01/13/2021		<u>7</u>	BNC Certificate of Mailing – Meeting of Creditors. (RE: related document(s) <u>4</u> Generate 341 Notices). Notice Date 01/13/2021. (Admin.) (Entered: 01/13/2021)
01/13/2021		<u>8</u>	Request for Notice Filed by Creditor Professional Bank (Opperwall, Stephen) CORRECTIVE ENTRY: Clerk modified docket text to remove Amended. DEFECTIVE ENTRY: Additional event code(s) not selected. Modified on 1/14/2021 (ka). (Entered: 01/13/2021)
01/14/2021		<u>9</u>	Notice of Appearance and Request for Notice by Michael Gerard Fletcher. Filed by Requestor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 01/14/2021)
01/14/2021		<u>10</u>	Notice of Appearance and Request for Notice by Reed S. Waddell. Filed by Requestor Zions Bancorporation, N.A. (Waddell, Reed) (Entered: 01/14/2021)
01/15/2021		<u>11</u>	Trustee's Request for Notice of Possible Dividends . (Hjelmeset, Fred) (Entered: 01/15/2021)
01/15/2021		<u>12</u>	Application to Employ Gregg S. Kleiner of Rincon Law LLP as Attorneys for Trustee Filed by Trustee Fred Hjelmeset (Attachments: # <u>1</u> Declaration of Gregg S. Kleiner (with copy of proposed order attached)) (Kleiner, Gregg) (Entered: 01/15/2021)
01/15/2021		<u>13</u>	Notice of Possible Dividends Proofs of Claims due by 04/15/2021(admin) (Entered: 01/15/2021)
01/20/2021		<u>14</u>	Order Authorizing Employment of Counsel (Rincon Law LLP) (Related Doc # <u>12</u>) (al) (Entered: 01/20/2021)
01/21/2021		<u>15</u>	BNC Certificate of Mailing – Notice of Possible Dividend. (RE: related document(s) <u>13</u> Notice of Possible Dividends). Notice Date 01/21/2021. (Admin.) (Entered: 01/21/2021)

01/29/2021		<u>16</u>	Notice of Change of Address Filed by Requestor Zions Bancorporation, N.A. (Warrington, Gerrick) (Entered: 01/30/2021)
01/31/2021		<u>17</u>	Amended Schedule A/B,. Filed by Debtor Evander Frank Kane (Finestone, Stephen)NOTE: Additional event code not selected. Modified on 2/1/2021 (aw). (Entered: 01/31/2021)
01/31/2021		<u>18</u>	Amended Schedule D Schedule E/F . Fee Amount \$32. Filed by Debtor Evander Frank Kane (Finestone, Stephen)NOTE: Additional event code not selected. Modified on 2/1/2021 (aw). (Entered: 01/31/2021)
01/31/2021			Receipt of filing fee for Amended Schedules (D, E, and F – Fee Required)(21–50028) [misc,amdsch] (32.00). Receipt number 31042408, amount \$ 32.00 (re: Doc# <u>18</u> Amended Schedules (D, E, and F – Fee Required)) (U.S. Treasury) (Entered: 01/31/2021)
01/31/2021		<u>19</u>	Amended Statement of Financial Affairs for Individual Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 01/31/2021)
02/02/2021		<u>20</u>	Application to Employ Richard Pierotti of Kokjer, Pierotti, Maiocco & Duck, LLP as Accountants for Trustee Filed by Trustee Fred Hjelmset (Attachments: # <u>1</u> Declaration of Richard L. Pierotti) (Kleiner, Gregg) (Entered: 02/02/2021)
02/02/2021		<u>21</u>	Request for Notice Filed by Creditor South River Capital LLC (Rao, David) (Entered: 02/02/2021)
02/03/2021		<u>22</u>	Application for Admission of Attorney Pro Hac Vice <i>of John A. Anthony</i> . Fee Amount \$317 (Anthony, John) (Entered: 02/03/2021)
02/03/2021			Receipt of filing fee for Application for Admission of Attorney Pro Hac Vice(21–50028) [motion,mprohac] (317.00). Receipt number 31051302, amount \$ 317.00 (re: Doc# <u>22</u> Application for Admission of Attorney Pro Hac Vice <i>of John A. Anthony</i> . Fee Amount \$317) (U.S. Treasury) (Entered: 02/03/2021)
02/03/2021			Statement Adjourning Meeting of 341(a) Meeting of Creditors. Meeting of Creditors Continued. Next Meeting of Creditors to be Held on 2/23/2021 at 11:00 AM at San Jose Room 130. Debtor appeared. (Hjelmset, Fred) (Entered: 02/03/2021)
02/04/2021		<u>23</u>	Certificate of Service (RE: related document(s) <u>20</u> Application to Employ Richard Pierotti of Kokjer, Pierotti, Maiocco & Duck, LLP as Accountants for Trustee). Filed by Trustee Accountant Richard L. Pierotti (Pierotti, Richard) (Entered: 02/04/2021)
02/05/2021		<u>24</u>	Application for Admission of Attorney Pro Hac Vice . Fee Amount \$317 (Ghekas, Andrew) DEFECTIVE ENTRY: Party Filer to pay required fee due. Modified on 2/5/2021 (dts). (Entered: 02/05/2021)
02/05/2021			Receipt of filing fee for Application for Admission of Attorney Pro Hac Vice(21–50028) [motion,mprohac] (317.00). Receipt number 31085245, amount \$ 317.00 (re: Doc# <u>24</u> Application for Admission of Attorney Pro Hac Vice . Fee Amount \$317) (U.S. Treasury) (Entered: 02/05/2021)
02/08/2021		<u>25</u>	Notice of Appearance and Request for Notice <i>Special Notice</i> by Peter C. Califano. Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 02/08/2021)

02/08/2021		<u>26</u>	Order Authorizing Employment of Accountant (Related Doc # <u>20</u>) (al) (Entered: 02/08/2021)
02/08/2021		<u>27</u>	Order Granting Application for Admission of Attorney Pro Hac Vice (Related Doc # <u>22</u>). (al) (Entered: 02/08/2021)
02/08/2021		<u>28</u>	Order Granting Application for Admission of Attorney Pro Hac Vice (Related Doc # <u>24</u>). (al) (Entered: 02/08/2021)
02/17/2021		<u>29</u>	Amended Statement of Financial Affairs for Individual Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 02/17/2021)
02/19/2021		<u>30</u>	Amended Schedule A/B, Schedule J. Filed by Debtor Evander Frank Kane (Finestone, Stephen) DEFECTIVE ENTRY: Additional event code(s) not selected. Modified on 2/19/2021 (dts). (Entered: 02/19/2021)
02/23/2021			Meeting of Creditors Held and Concluded Debtor appeared. (Hjelmeset, Fred) (Entered: 02/23/2021)
02/24/2021		<u>31</u>	Notice of Deficiency of Financial Management Course Certificate Due Before Discharge (admin) (Entered: 02/24/2021)
02/25/2021		<u>32</u>	Personal Financial Management Course Certificate. Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 02/25/2021)
02/26/2021		<u>33</u>	Motion to Convert Case to Chapter 11 , Fee Amount \$922 Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Declaration) (Fletcher, Michael) (Entered: 02/26/2021)
02/26/2021			Receipt of filing fee for Motion to Convert Case to Chapter 11 (<u>21-50028</u>) [motion,mcnv11] (922.00). Receipt number A31132073, amount \$ 922.00 (re: Doc# <u>33</u> Motion to Convert Case to Chapter 11 , Fee Amount \$922) (U.S. Treasury) (Entered: 02/26/2021)
02/26/2021		<u>34</u>	Motion to Shorten Time <i>on Hearing on Motion to Convert to Chapter 11</i> (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11 filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration) (Fletcher, Michael) (Entered: 02/26/2021)
02/26/2021		<u>35</u>	Certificate of Service (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11, <u>34</u> Motion to Shorten Time). Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 02/26/2021)
02/26/2021		<u>36</u>	Order Granting Motion to Shorten Time (Related Doc # <u>34</u>) (al) (Entered: 02/26/2021)
02/26/2021			Hearing Set On Order Shortening Time(RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11 , Fee Amount \$922). Hearing scheduled for 3/30/2021 at 11:00 AM via Tele/Videoconference – www.canb.uscourts.gov/calendars. (al) (Entered: 02/26/2021)
02/26/2021		<u>37</u>	Amended Schedule A/B, Schedule C,. Filed by Debtor Evander Frank Kane (Finestone, Stephen)NOTE: Additional event code(s) not selected. Modified on 2/26/2021 (pw). (Entered: 02/26/2021)
02/26/2021		<u>38</u>	

			Notice of Hearing (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11 , Fee Amount \$922 Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Declaration)). Hearing scheduled for 3/30/2021 at 11:00 AM via Tele/Videoconference – www.canb.uscourts.gov/calendars. Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Certificate of Service) (Fletcher, Michael) (Entered: 02/26/2021)
02/27/2021		<u>39</u>	BNC Certificate of Mailing (RE: related document(s) <u>31</u> Notice of Deficiency Financial Management Course). Notice Date 02/27/2021. (Admin.) (Entered: 02/27/2021)
03/02/2021		<u>40</u>	Ex Parte Motion for 2004 Examination <i>of the Debtor and for Production of Documents</i> Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 03/02/2021)
03/02/2021		<u>41</u>	Joinder (<i>Notice of Joinder and Joinder by Creditor Professional Bank in the Motion by Creditor Zions Bancorporation to Convert the Case to Chapter 11 and to Appoint a Chapter 11 Trustee</i>) (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/03/2021)
03/04/2021		<u>42</u>	Application to Compromise Controversy with (<i>Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts</i>) Filed by Trustee Fred Hjelmset (Attachments: # <u>1</u> Declaration of Fred Hjelmset) (Kleiner, Gregg) (Entered: 03/04/2021)
03/04/2021		<u>43</u>	Notice and Opportunity for Hearing <i>on Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts</i> (RE: related document(s) <u>42</u> Application to Compromise Controversy with (<i>Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts</i>) Filed by Trustee Fred Hjelmset (Attachments: # <u>1</u> Declaration of Fred Hjelmset)). Filed by Trustee Fred Hjelmset (Kleiner, Gregg) (Entered: 03/04/2021)
03/04/2021		<u>44</u>	Certificate of Service , Declaration <i>of Mailing</i> (RE: related document(s) <u>43</u> Opportunity for Hearing). Filed by Trustee Fred Hjelmset (Kleiner, Gregg). Related document(s) <u>42</u> Application to Compromise Controversy with (<i>Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts</i>) filed by Trustee Fred Hjelmset. DEFECTIVE ENTRY: Additional event code(s) not selected. CORRECTIVE ENTRY: Clerk added linkage to document(s) #42. Modified on 3/4/2021 (dts). (Entered: 03/04/2021)
03/04/2021		<u>45</u>	Objection (RE: related document(s) <u>40</u> Motion for Examination). Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 03/04/2021)
03/04/2021		<u>46</u>	Declaration of Stephen D. Finestone in support of (RE: related document(s) <u>45</u> Objection). Filed by Debtor Evander Frank Kane (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B) (Finestone, Stephen) (Entered: 03/04/2021)
03/05/2021		<u>47</u>	Notice of Appearance and Request for Notice by Ryan A. Witthans. Filed by Debtor Evander Frank Kane (Witthans, Ryan) (Entered: 03/05/2021)
03/05/2021			Having reviewed the documents, if any, filed by the debtor and any additional documents provided to the United States Trustee, the United States Trustee is currently unable to determine whether the debtor's case would be presumed to be an abuse under Section 707(b) of the Bankruptcy

			Code. Filed by U.S. Trustee. (Villacorta, Marta) (Entered: 03/05/2021)
03/05/2021		<u>48</u>	Order Directing Parties to Meet and Confer (RE: related document(s) <u>40</u> Motion for Examination filed by Creditor Centennial Bank, N.A.). (al) (Entered: 03/05/2021)
03/08/2021		<u>49</u>	Joinder (<i>South River Capital, LLC's Joinder in Motion by Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee</i>) (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Requestor South River Capital LLC (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D) (Rao, David) (Entered: 03/08/2021)
03/08/2021		<u>50</u>	Stipulation to Extend Time <i>to Assume or Reject Contract</i> Filed by Debtor Evander Frank Kane. (Finestone, Stephen) (Entered: 03/08/2021)
03/09/2021		<u>51</u>	Order Approving Stipulation to Extend Time to Assume or Reject Contract (RE: related document(s) <u>50</u> Stipulation to Extend Time filed by Debtor Evander Frank Kane). (al) (Entered: 03/09/2021)
03/12/2021		<u>52</u>	Stipulation to Extend Time <i>Stipulation to Enlarge Time Periods for United States Trustee to File Motion to Dismiss Case under 11 U.S.C. 707(b)(3) and/or Complaint to Deny Discharge under 11 U.S.C. 727 to May 5, 2021.</i> Filed by U.S. Trustee Office of the U.S. Trustee / SJ. (Villacorta, Marta) (Entered: 03/12/2021)
03/12/2021		<u>53</u>	Order Approving Stipulation To Enlarge Time Periods For United States Trustee To File Motion to Dismiss Case Under 11 U.S.C. § 707(b)(3) And Complaint To Deny Discharge Under 11 U.S.C. § 727 To May 5, 2021 (RE: related document(s) <u>52</u> Stipulation to Extend Time filed by U.S. Trustee Office of the U.S. Trustee / SJ). (rdr) (Entered: 03/12/2021)
03/15/2021		<u>54</u>	Stipulation to Extend Time (<i>Stipulation for Order Extending April 5, 2021 Deadline Under Bankruptcy Rules 4004(A) and 4007(C) to File Complaint to Determine Dischargeability of Debt and to Deny Discharge</i>) Filed by Requestor South River Capital LLC (RE: related document(s) <u>4</u> Generate 341 Notices). (Rao, David) (Entered: 03/15/2021)
03/16/2021		<u>55</u>	Notice of Appearance and Request for Notice by Robert B. Kaplan. Filed by Creditor Sure Sports, LLC (Kaplan, Robert) (Entered: 03/16/2021)
03/16/2021		<u>56</u>	Notice of Appearance and Request for Notice by Thomas M. Geher. Filed by Creditor Sure Sports, LLC (Geher, Thomas) (Entered: 03/16/2021)
03/16/2021		<u>57</u>	Joinder of <i>Sure Sports, LLC in Support of Motion by Creditor Zions Bancorporation, N.A., to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee</i> (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Creditor Sure Sports, LLC (Geher, Thomas) (Entered: 03/16/2021)
03/16/2021		<u>58</u>	Stipulation Filed by Debtor Evander Frank Kane (RE: related document(s) <u>40</u> Motion for Examination filed by Creditor Centennial Bank, N.A.). (Finestone, Stephen) (Entered: 03/16/2021)
03/17/2021		<u>59</u>	Stipulation to Extend Time <i>TO ENLARGE TIME PERIODS FOR CENTENNIAL TO FILE MOTION TO DISMISS CASE UNDER 11 U.S.C. § 707(b) AND/OR COMPLAINT TO OBJECT TO DISCHARGE UNDER 11 U.S.C. § 727 TO MAY 5, 2021</i> Filed by Creditor Centennial Bank,

			N.A.. (Califano, Peter) (Entered: 03/17/2021)
03/17/2021		<u>60</u>	Order Approving Stipulation Extending Last Day to File Complaint to Determine Dischargeability of Debt and to Deny Discharge to May 5, 2021 (RE: related document(s) <u>54</u> Stipulation to Extend Time filed by Requestor South River Capital LLC). (al) (Entered: 03/17/2021)
03/17/2021		<u>61</u>	Order Approving Stipulation Regarding Centennial Bank Rule 2004 Examination (RE: related document(s) <u>40</u> Motion for Examination filed by Creditor Centennial Bank, N.A., <u>58</u> Stipulation Referring to Existing Document(s) filed by Debtor Evander Frank Kane). (al) (Entered: 03/17/2021)
03/18/2021		<u>62</u>	Stipulation to Extend Time <i>Stipulation For Order Extending April 5, 2021 Deadline Under Bankruptcy Rules 4004(A) And 4007(C) To File Complaint To Determine Dischargeability Of Debt And/Or To Object To Discharge</i> Filed by Creditor Zions Bancorporation, N.A.. (Waddell, Reed) (Entered: 03/18/2021)
03/18/2021		<u>63</u>	Joinder By Creditor Lone Shark Holdings, LLC In The Motion By Creditor Zions Bancorporation To Convert The Case To Chapter 11 And To Appoint Chapter 11 Trustee (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Creditor Loan Shark Holdings, LLC (Attachments: # <u>1</u> Certificate of Service) (Rivas, Christopher) (Entered: 03/18/2021)
03/18/2021		<u>64</u>	Order Approving Stipulation to Enlarge Time Periods for Centennial to File Motion to Dismiss Case Under 11 U.S.C. § 707(b) and Complaint to Deny Discharge Under 11 U.S.C. § 727 to May 5, 2021 (RE: related document(s) <u>59</u> Stipulation to Extend Time filed by Creditor Centennial Bank, N.A.). (al) (Entered: 03/18/2021)
03/18/2021		<u>65</u>	Brief/Memorandum in Opposition to <i>Motion to Convert Case and Appoint Chapter 11 Trustee</i> (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Debtor Evander Frank Kane (Attachments: # <u>1</u> Kane Declaration # <u>2</u> Exhibit A to Kane Declaration # <u>3</u> Fiero Declaration) (Witthans, Ryan) (Entered: 03/18/2021)
03/19/2021		<u>66</u>	Order Approving Stipulation for Order Extending April 5, 2021 Deadline Under Bankruptcy Rules 4004(a) and 4007(c) to File Complaint to Determine Dischargeability of Debt and/or to Object to Discharge (RE: related document(s) <u>62</u> Stipulation to Extend Time filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). (al) (Entered: 03/19/2021)
03/20/2021		<u>67</u>	Stipulation to Extend Time (<i>Stipulation for, and Request for, Order Extending April 5, 2021 Deadline under Bankruptcy Rules 4004(a) and 4007(c) to File Complaint to Determine Dischargeability of Debt and to Deny Discharge</i>) Filed by Creditor Professional Bank. (Opperwall, Stephen) (Entered: 03/20/2021)
03/22/2021		<u>68</u>	Stipulation to Extend Time (<i>Stipulation to Entry of Order Extending Date for Filing Complaint (11 U.S.C. Section 727)</i>) Filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane. (Kleiner, Gregg) (Entered: 03/22/2021)
03/22/2021		<u>69</u>	Order Approving Stipulation for, and Request for, Order Extending the April 5, 2021 Deadline under Bankruptcy Rules 4004(a) and 4007(c) to File Complaint to Determine Dischargeability of Debt and to Deny

			Discharge to May 5, 2021 (RE: related document(s) <u>67</u> Stipulation to Extend Time filed by Creditor Professional Bank). (al) (Entered: 03/22/2021)
03/22/2021		<u>70</u>	Order Extending Date for Filing Complaint Objecting to Discharge (11 U.S.C. § 727) (RE: related document(s) <u>68</u> Stipulation to Extend Time filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane). (al) (Entered: 03/22/2021)
03/23/2021		<u>71</u>	Application for Admission of Attorney Pro Hac Vice . NOTE:Please disregard document and see document #72 (klr) (Entered: 03/23/2021)
03/23/2021		<u>72</u>	Application for Admission of Attorney Pro Hac Vice . Fee Amount \$317 (klr) (Entered: 03/23/2021)
03/23/2021			Receipt of Pro Hac Vice Fee. Amount 317.00 from Northern California Legal Supp. Receipt Number 50102393. (admin) (Entered: 03/23/2021)
03/24/2021		<u>73</u>	Order Granting Application for Admission of Attorney Pro Hac Vice (Related Doc # <u>72</u>). (al) (Entered: 03/24/2021)
03/25/2021		<u>74</u>	Objection to Homestead Exemption Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service) (Fletcher, Michael) (Entered: 03/25/2021)
03/25/2021		<u>75</u>	Notice of Hearing (RE: related document(s) <u>74</u> Objection to Homestead Exemption Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service)). Hearing scheduled for 5/4/2021 at 02:00 PM via Tele/Videoconference – www.canb.uscourts.gov/calendars. Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 03/25/2021)
03/25/2021		<u>76</u>	Objection (RE: related document(s) <u>42</u> Application to Compromise Controversy). Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service) (Fletcher, Michael) (Entered: 03/25/2021)
03/25/2021		<u>77</u>	Reply (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service) (Fletcher, Michael) (Entered: 03/25/2021)
03/25/2021		<u>78</u>	Reply (<i>Reply by Creditor Professional Bank in Support of the Motion by Creditor Zions Bancorporation to Convert the Case to Chapter 11 and to Appoint a Chapter 11 Trustee</i>) (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/25/2021)
03/25/2021		<u>79</u>	Objection to Homestead Exemption (<i>Objections by Professional Bank to Debtor's claimed homestead exemption</i>) Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/25/2021)
03/25/2021		<u>80</u>	Objection to Debtor's Claim of Exemptions (<i>Objections by Professional Bank to Debtor's purported claimed exemption for money owed to Debtor by the San Jose Sharks</i>) Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/25/2021)
03/25/2021		<u>81</u>	

			Brief/Memorandum in Opposition to (<i>Opposition by Professional Bank to Trustee's Motion to Convey Equity in Real Property [ECF #43]</i>) (RE: related document(s) <u>43</u> Opportunity for Hearing). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/25/2021)
03/29/2021		<u>82</u>	Joinder By Creditor Centennial Bank To Objection By Professional Bank To Debtor's Claimed Homestead Exemption Filed by Creditor Centennial Bank, N.A. (Califano, Peter). Related document(s) <u>79</u> Objection to Homestead Exemption filed by Creditor Professional Bank. CORRECTIVE ENTRY: Clerk added linkage to document(s) #79. DEFECTIVE ENTRY: Additional event code(s) not selected. Modified on 3/30/2021 (dts). (Entered: 03/29/2021)
03/29/2021		<u>83</u>	Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i> Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 03/29/2021)
03/29/2021		<u>84</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Centennial Bank's motion to dismiss the Chapter 7 case [Doc # 83]</i>) (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/29/2021)
03/29/2021		<u>85</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Zions Bancorporation's objection to Debtor's homestead exemption [Doc # 74]</i>) (RE: related document(s) <u>74</u> Objection to Homestead Exemption). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/29/2021)
03/29/2021		<u>86</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Zions Bancorporation's notice of hearing on objection to Debtor's homestead exemption [Doc # 75]</i>) (RE: related document(s) <u>75</u> Notice of Hearing). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/29/2021)
03/29/2021		<u>87</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Zions Bancorporation's objection [Doc # 76] to trustee's motion for authority to convey equity [Doc # 42]</i>) (RE: related document(s) <u>76</u> Objection). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/29/2021)
03/29/2021		<u>88</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Zions Bancorporation's reply in support of motion to convert to Chapter 11 [Doc # 77]</i>) (RE: related document(s) <u>77</u> Reply). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 03/29/2021)
03/30/2021			Hearing Held (RE: related document(s) <u>33</u> Motion to Convert Case to Chapter 11 , Fee Amount \$922). Stephen Finestone appearing on behalf of the Debtor, Michael Fletcher appearing on behalf of Zions Bancorporation, Gregg Kleiner appearing on behalf of the Ch 7 Trustee, Stephen Opperwall appearing on behalf of Professional Bank, David Rao appearing on behalf of the South River Capital, Thomas Geher appearing on behalf of Sure Sports, Christopher Rivas appearing on behalf of Loan Shark Holdings and Peter Califano, John Anthony and Andrew Ghekas appearing for Centennial Bank. Matter is taken under submission. (al) (Entered: 03/30/2021)
03/30/2021		<u>89</u>	Joinder (<i>South River Capital, LLC's Joinder in Creditor Zions Bancorporation's Objection to Debtor's Homestead Exemption</i>) (RE: related document(s) <u>74</u> Objection to Homestead Exemption). Filed by Requestor South River Capital LLC (Rao, David) (Entered: 03/30/2021)

04/01/2021		<u>90</u>	Adversary case <u>21-05008</u> . 62 (Dischargeability – 523(a)(2), false pretenses, false representation, actual fraud), 41 (Objection / revocation of discharge – 727(c),(d),(e)) Complaint by Hope Parker against Evander Frank Kane. Fee Amount \$350. (Attachments: # <u>1</u> AP Cover Sheet) (Lewis, Jonathan) (Entered: 04/01/2021)
04/05/2021		<u>91</u>	Adversary case <u>21-05010</u> . 62 (Dischargeability – 523(a)(2), false pretenses, false representation, actual fraud) Complaint by Lone Shark Holdings, LLC against Evander Frank Kane. Fee Amount \$350. (Attachments: # <u>1</u> AP Cover Sheet) (Rivas, Christopher) (Entered: 04/05/2021)
04/08/2021		<u>92</u>	Ex Parte Motion to Shorten Time <i>FOR HEARING ON CENTENNIAL BANK'S MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case filed by Creditor Centennial Bank, N.A.). Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/08/2021)
04/08/2021		<u>93</u>	Declaration of ANDREW J. GHEKAS in support of <i>EX PARTE APPLICATION FOR ORDER SHORTENING TIME FOR HEARING ON CENTENNIAL'S MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>92</u> Motion to Shorten Time). Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/08/2021)
04/09/2021		<u>94</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Centennial Bank's Ex Parte Application for Order Shortening Time for Hearing on Centennial Bank's Motion to Dismiss Liquidation [Doc # 92]</i>) (RE: related document(s) <u>92</u> Motion to Shorten Time). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 04/09/2021)
04/09/2021		<u>95</u>	Order Denying Application to Shorten Time (Related Doc # <u>92</u>) (al) (Entered: 04/09/2021)
04/15/2021		<u>96</u>	Second Stipulation to Extend Time <i>Second Stipulation to Enlarge Time Periods for United States Trustee to File Motion to Dismiss Case Under 11 U.S.C. § 707(b)(3) and/or Complaint to Deny Discharge Under 11 U.S.C. § 727 to June 11, 2021</i> Filed by U.S. Trustee Office of the U.S. Trustee / SJ (RE: related document(s) <u>53</u> Order on Stipulation). (Villacorta, Marta) (Entered: 04/15/2021)
04/16/2021		<u>97</u>	Order Approving Second Stipulation to Enlarge Time Periods for the United States Trustee to File a Motion to Dismiss Case Under 11 U.S.C. § 707(b)(3) and a Complaint to Deny Discharge Under 11 U.S.C. § 727 to June 11, 2021 (RE: related document(s) <u>96</u> Stipulation to Extend Time filed by U.S. Trustee Office of the U.S. Trustee / SJ). (al) (Entered: 04/16/2021)
04/16/2021		<u>98</u>	Notice of Hearing <i>ON CENTENNIAL BANK'S MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i> Filed by Creditor Centennial Bank, N.A.). Hearing scheduled for 5/18/2021 at 02:00 PM via Tele/Videoconference – www.canb.uscourts.gov/calendars . Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/16/2021)
04/16/2021		<u>99</u>	Declaration of ANDREW J. GHEKAS in SUPPORT of <i>CENTENNIAL BANKS MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/16/2021)

04/17/2021		<u>100</u>	Joinder (<i>Joinder by Creditor Professional Bank in Creditor Centennial Bank's motion to dismiss liquidation [Doc # 83, Doc # 98]</i>) (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Creditor Professional Bank (Opperwall, Stephen) (Entered: 04/17/2021)
04/19/2021		<u>101</u>	Order Denying Motion To Convert (Related Doc # <u>33</u>) (al) (Entered: 04/19/2021)
04/20/2021		<u>102</u>	Certificate of Service <i>FOR NOTICE OF MOTION AND MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Creditor Centennial Bank, N.A. (Califano, Peter). Related document(s) <u>98</u> Notice of Hearing filed by Creditor Centennial Bank, N.A., <u>99</u> Declaratio) CORRECTIVE ENTRY: Clerk added linkage to documents #93 and 98. Modified on 4/20/2021 (lm). CORRECTIVE ENTRY: Clerk added linkage to document #99 and removed linkage to document #93. Modified on 4/21/2021 (lm). (Entered: 04/20/2021)
04/21/2021		<u>103</u>	First Amended Joinder <i>BY CREDITOR CENTENNIAL BANK TO OBJECTION BY PROFESSIONAL BANK TO DEBTOR'S CLAIMED HOMESTEAD EXEMPTION</i> (RE: related document(s) <u>79</u> Objection to Homestead Exemption). Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/21/2021)
04/22/2021		<u>104</u>	Second Stipulation to Extend Time <i>for Filing Complaint (11 U.S.C. Section 727)</i> Filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane. (Kleiner, Gregg) (Entered: 04/22/2021)
04/23/2021		<u>105</u>	Second Order Extending Date for Filing Complaint Objecting to Discharge (11 U.S.C. Section 727) (RE: related document(s) <u>104</u> Stipulation to Extend Time filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane). (al) (Entered: 04/23/2021)
04/27/2021		<u>106</u>	Response (RE: related document(s) <u>74</u> Objection to Homestead Exemption). Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 04/27/2021)
04/28/2021		<u>107</u>	Second Stipulation to Extend Time <i>Second Stipulation For Order Extending Deadlines Under Bankruptcy Rules 4004(a) and 4007(c) to File Complaint to Determine Dischargeability of Debt and/or to Object to Discharge</i> Filed by Creditor Zions Bancorporation, N.A.. (Waddell, Reed) (Entered: 04/28/2021)
04/28/2021		<u>108</u>	Order Approving Second Stipulation Deadline Under Bankruptcy Rules 4004(a) and 4007(c) to File Complaint to Determine Dischargeability of Debt and/or to Deny Discharge (RE: related document(s) <u>107</u> Stipulation to Extend Time filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). (al) (Entered: 04/28/2021)
04/28/2021		<u>109</u>	Motion to Continue Hearing On <i>Homestead Exemption Objection Per B.L.R. 9006-1</i> (RE: related document(s) <u>74</u> Objection to Homestead Exemption filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Declaration # <u>2</u> Certificate of Service) (Warrington, Gerrick) (Entered: 04/28/2021)
04/29/2021		<u>110</u>	Order Granting Motion to Continue Hearing on Objection to Homestead Exemption (RE: related document(s) <u>74</u> Objection to Homestead Exemption filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A., <u>109</u> Motion to Continue/Reschedule Hearing filed

			by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). Hearing scheduled for 6/9/2021 at 02:00 PM via Tele/Videoconference – www.canb.uscourts.gov/calendars. (al) (Entered: 04/29/2021)
04/29/2021		<u>111</u>	Supplemental Certificate of Service <i>RE: CENTENNIAL BANK'S MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case, <u>98</u> Notice of Hearing, <u>99</u> Declaration). Filed by Creditor Centennial Bank, N.A. (Califano, Peter) (Entered: 04/29/2021)
05/03/2021		<u>112</u>	Adversary case <u>21-05013</u> . 62 (Dischargeability – 523(a)(2), false pretenses, false representation, actual fraud), 91 (Declaratory judgment), 41 (Objection / revocation of discharge – 727(c),(d),(e)), 21 (Validity, priority or extent of lien or other interest in property), 72 (Injunctive relief – other) Complaint by Professional Bank against Evander Frank Kane. Fee Amount \$350. (Attachments: # <u>1</u> AP Cover Sheet AP Cover Sheet) (Opperwall, Stephen) (Entered: 05/03/2021)
05/03/2021		<u>113</u>	Notice Regarding <i>Appeal</i> (RE: related document(s) <u>101</u> Order Denying Motion To Convert (Related Doc <u>33</u>) (al)). Filed by Requestor South River Capital LLC (Attachments: # <u>1</u> Certificate of Service) (Smith, Wendy) DEFECTIVE ENTRY: Incorrect event code selected and incorrect PDF attached. DEFECTIVE ENTRY: Party Filer to pay required fee due. Modified on 5/4/2021 (rs). (Entered: 05/03/2021)
05/03/2021		<u>114</u>	Statement of Statement of Election (RE: related document(s) <u>113</u> Notice). Filed by Requestor South River Capital LLC (Attachments: # <u>1</u> Certificate of Service) (Smith, Wendy) DEFECTIVE ENTRY: Incorrect event code selected and incorrect PDF attached. Modified on 5/4/2021 (rs). (Entered: 05/03/2021)
05/03/2021		<u>115</u>	Notice of Appeal and Statement of Election <i>to Have Appeal Heard by District Court</i> , Fee Amount \$ 298. (RE: related document(s) <u>101</u> Order on Motion to Convert Case to Chapter 11). Appellant Designation due by 05/19/2021. Transmission of Record to District Court due by 06/2/2021. Statement of Issues due by 05/19/2021. (Attachments: # <u>1</u> Certificate of Service) Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 05/03/2021)
05/03/2021			Receipt of filing fee for Notice of Appeal and Statement of Election(<u>21-50028</u>) [appeal,ntcaple] (298.00). Receipt number A31274677, amount \$ 298.00 (re: Doc# <u>115</u> Notice of Appeal and Statement of Election) (U.S. Treasury) (Entered: 05/03/2021)
05/04/2021		<u>116</u>	Adversary case <u>21-05014</u> . 62 (Dischargeability – 523(a)(2), false pretenses, false representation, actual fraud) Complaint by South River Capital LLC against Evander Frank Kane. Fee Amount \$350. (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C # <u>4</u> Exhibit D # <u>5</u> Exhibit E # <u>6</u> Exhibit F # <u>7</u> Exhibit G-1 & G-2 # <u>8</u> Exhibit H # <u>9</u> Exhibit I # <u>10</u> AP Cover Sheet) (Rao, David) (Entered: 05/04/2021)
05/04/2021			Fee Due Notice of Appeal \$ 298 (RE: related document(s) <u>113</u> Notice). (rs) (Entered: 05/04/2021)
05/04/2021			Receipt of filing fee for Notice of Appeal(<u>21-50028</u>) (298.00). Receipt number A31276547, amount \$ 298.00 (re: Doc# <u>113</u> Notice) (U.S. Treasury) (Entered: 05/04/2021)
05/04/2021		<u>117</u>	

			Service of Notice of Appeal to Stephen D. Finestone, Ryan A. Witthans, Michael Gerard Fletcher, Stephen G. Oppewall, Christopher O. Rivas, Robert B. Kaplan, Thomas M. Geher: Attorney for Appellee(s) Wendy W. Smith, David B. Rao: Attorney for Appellant(s), and United States Trustee via the Bankruptcy Noticing Center. Related document(s) <u>113</u> Notice filed by Requestor South River Capital LLC. CORRECTIVE ENTRY: Clerk modified docket text. Modified on 5/5/2021 (rs). (Entered: 05/04/2021)
05/04/2021		<u>118</u>	Service of Notice of Appeal to Stephen D. Finestone, Ryan A. Witthans: Attorney for Appellee(s) Michael Gerard Fletcher, Gerrick Warrington: Attorney for Appellant(s), and United States Trustee via the Bankruptcy Noticing Center. (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election). (rs) (Entered: 05/04/2021)
05/04/2021		<u>119</u>	Joinder by Creditor Zions Bancorporation to Motion to Dismiss Liquidation by Centennial Bank (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 05/04/2021)
05/04/2021		<u>120</u>	Brief/Memorandum in Opposition to (RE: related document(s) <u>83</u> Motion to Dismiss Case). Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 05/04/2021)
05/04/2021		<u>121</u>	Declaration of Evander Kane in support of (RE: related document(s) <u>120</u> Opposition Brief/Memorandum). Filed by Debtor Evander Frank Kane (Attachments: # <u>1</u> Exhibit A through E) (Finestone, Stephen). Related document(s) <u>83</u> Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i> filed by Creditor Centennial Bank, N.A.. DEFECTIVE ENTRY: PDF is blank on page(s) #24 and 26. CORRECTIVE ENTRY: Clerk added linkage to document(s) #83. Modified on 5/5/2021 (rs). (Entered: 05/04/2021)
05/04/2021		<u>122</u>	Objection (RE: related document(s) <u>99</u> Declaration). Filed by Debtor Evander Frank Kane (Finestone, Stephen). Related document(s) <u>83</u> Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i> filed by Creditor Centennial Bank, N.A.. CORRECTIVE ENTRY: Clerk added linkage to document(s) #83. Modified on 5/5/2021 (rs). (Entered: 05/04/2021)
05/05/2021		<u>123</u>	Adversary case <u>21-05016</u> . 424 Obj/Revocation Discharge 727, 66 (Dischargeability – 523(a)(1),(14),(14A) priority tax claims), 65 (Dischargeability – other), 41 Objection/revocation of discharge – 727(c),(d),(e) Complaint by Centennial Bank against Evander Frank Kane. Fee Amount \$350. (Attachments: # <u>1</u> AP Cover Sheet) (Califano, Peter) DEFECTIVE ENTRY: PDF is illegible on page(s) 63. Modified on 5/5/2021 (rs). CORRECTIVE ENTRY: (1) Clerk added nature of suit(s) to reflect PDF for both Main Case and AP Case; (2) Clerk added 727 Nature of Suit to Main Case and AP Case and updated the case data; (3) Clerk added 727 Flag to Main Case and AP Case. Modified on 5/5/2021 (tp). (Entered: 05/05/2021)
05/05/2021		<u>124</u>	Transcript Order Form on an Appeal, regarding Hearing Date 3/30/2021 (RE: related document(s) <u>101</u> Order on Motion to Convert Case to Chapter 11). Filed by Requestor South River Capital LLC (Smith, Wendy). Related document(s) <u>33</u> Motion to Convert Case to Chapter 11 , Fee Amount \$922 filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.. CORRECTIVE ENTRY: Clerk added linkage to document #33. Modified on 5/6/2021 (lb). (Entered: 05/05/2021)

05/06/2021			Transcript Record Transmittal (Court transcript records have been uploaded) for Order Number: 21-50028-124 Regarding Hearing Date: 3/30/2021. Transcription Service Provider: Palmer Reporting Services, Contact Information: palmerprt@aol.com (RE: related document(s) <u>124</u> Transcript Order Form (Public Request)). (lb) (Entered: 05/06/2021)
05/06/2021		125	Acknowledgment of Request for Transcript Received on 5/6/2021. (RE: related document(s) <u>124</u> Transcript Order Form (Public Request)). (Palmer, Susan) (Entered: 05/06/2021)
05/06/2021		<u>126</u>	BNC Certificate of Mailing (RE: related document(s) <u>117</u> Service of Notice of Appeal). Notice Date 05/06/2021. (Admin.) (Entered: 05/06/2021)
05/07/2021		<u>127</u>	Transmission of Notice of Appeal to District Court (RE: related document(s) <u>113</u> Notice Regarding Appeal, <u>117</u> Service of Notice of Appeal). (Attachments: # <u>1</u> Notice of Appeal # <u>2</u> Appeal Documents) (ka). (Entered: 05/07/2021)
05/08/2021		128	Acknowledgment of Request for Transcript Received on 5/6/2021. (RE: related document(s) <u>124</u> Transcript Order Form (Public Request)). (Palmer, Susan) (Entered: 05/08/2021)
05/10/2021		<u>129</u>	Document: Acknowledgment Letter from District Court Regarding Notice Of Appeal case number assigned.(RE: related document(s) <u>113</u> Notice). (aw) (Entered: 05/10/2021)
05/11/2021		<u>130</u>	Reply <i>IN SUPPORT OF MOTION TO DISMISS LIQUIDATION</i> (RE: related document(s) <u>83</u> Motion to Dismiss Case, <u>98</u> Notice of Hearing, <u>99</u> Declaration). Filed by Creditor Centennial Bank, N.A. (Califano, Peter). Related document(s) <u>120</u> Opposition Brief/Memorandum filed by Debtor Evander Frank Kane. CORRECTIVE ENTRY: Clerk added linkage to document(s) #120. Modified on 5/12/2021 (rs). (Entered: 05/11/2021)
05/12/2021		<u>131</u>	Acknowledgment of Receipt by BAP or District Court of Notice of Appeal to District Court. Case Number: 21-cv-03493-WHO (RE: related document(s) <u>113</u> Notice filed by Requestor South River Capital LLC., <u>127</u> Transmission of Notice of Appeal to District Court). NOTE: Clerk added linkage to document(s) #113 and removed linkage from document(s)#127. (aw). (Entered: 05/12/2021)
05/13/2021		<u>132</u>	Second Amended Joinder <i>By Creditor Centennial Bank To Objection By Professional Bank To Debtor's Claimed Homestead Exemption</i> (RE: related document(s) <u>79</u> Objection to Homestead Exemption, <u>82</u> Joinder, <u>103</u> Joinder). Filed by Creditor Centennial Bank, N.A. (Califano, Peter). DEFECTIVE ENTRY: Additional event code(s) not selected. CORRECTIVE ENTRY: Clerk added linkage to document(s) #103 and removed linkage from document(s) 74, 75, 85, 86, 110. Modified on 5/14/2021 (dts). (Entered: 05/13/2021)
05/14/2021		<u>133</u>	Transcript Order Form on an Appeal, regarding Hearing Date 3/30/2021 Filed by Creditor Zions Bancorporation, N.A. (Warrington, Gerrick) (Entered: 05/14/2021)
05/14/2021		<u>134</u>	Transcript regarding Hearing Held 3/30/21 RE: Zions Bancorporation, N.A.'s motion to convert case to Chapter 11. THIS TRANSCRIPT WILL BE MADE ELECTRONICALLY AVAILABLE TO THE GENERAL PUBLIC 90 DAYS AFTER THE DATE OF FILING. Until that time the transcript may be viewed at the Bankruptcy Court or a copy may be

			obtained from the official court transcriber, Contact Information: Susan Palmer, Palmer Reporting Services, palmerprt@aol.com, 800-665-6251. . Notice of Intent to Request Redaction Deadline Due By 5/21/2021. Redaction Request Due By 06/4/2021. Redacted Transcript Submission Due By 06/14/2021. Transcript access will be restricted through 08/12/2021. (Palmer, Susan) (Entered: 05/14/2021)
05/14/2021		<u>135</u>	Transmission of Notice of Appeal to District Court (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election, <u>118</u> Service of Notice of Appeal). (Attachments: # <u>1</u> Notice of Appeal # <u>2</u> Appeal Documents) (tp) (Entered: 05/14/2021)
05/16/2021		<u>136</u>	BNC Certificate of Mailing (RE: related document(s) <u>134</u> Transcript Re: Appeal). Notice Date 05/16/2021. (Admin.) (Entered: 05/16/2021)
05/17/2021		<u>137</u>	Third Stipulation to Extend Time <i>Third Stipulation For Order Extending Deadline Under Bankruptcy Rules 4004(a) And 4007(c) To File Complaint To Determine Dischargeability Of Debt And/Or To Object To Discharge</i> Filed by Creditor Zions Bancorporation, N.A.. (Waddell, Reed) (Entered: 05/17/2021)
05/18/2021		<u>138</u>	Order Approving Third Stipulation Extending Deadline Under Bankruptcy Rules 4004(a) And 4007(c) To File Complaint To Determine Dischargeability Of Debt And/Or To Object To Discharge (RE: related document(s) <u>137</u> Stipulation to Extend Time filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). (al) (Entered: 05/18/2021)
05/18/2021		<u>139</u>	Appellant Designation of Contents For Inclusion in Record On Appeal and Issues on Appeal (RE: related Documents <u>113</u> and <u>114</u>) Notice of Appeal and Statement of Election filed by South River Capital LLC (Smith, Wendy) (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). Appellee designation due by 06/3/2021. (Attachments: # <u>1</u> Certificate of Service) Filed by Requestor South River Capital LLC (Smith, Wendy) (Entered: 05/18/2021)
05/18/2021			Hearing Held (RE: related document(s) <u>83</u> Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i>). Stephen Finestone appearing on behalf of the Debtor, Michael Fletcher appearing on behalf of Zions Bancorporation, Gregg Kleiner appearing on behalf of the Ch 7 Trustee, Stephen Opperswall appearing on behalf of Professional Bank, Thomas Geher appearing on behalf of Sure Sports, Peter Califano, John Anthony and Andrew Ghekas appearing for Centennial Bank. Matter is taken under submission. (al) (Entered: 05/18/2021)
05/19/2021		<u>140</u>	Transcript Order Form regarding Hearing Date 5/18/2021 (RE: related document(s) <u>83</u> Motion to Dismiss Case <i>Centennial Bank's Motion to Dismiss Liquidation</i>). (al) (Entered: 05/19/2021)
05/19/2021		<u>141</u>	Acknowledgment of Receipt by BAP or District Court of Notice of Appeal to District Court. Case Number: C21-3765WHO (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election, <u>135</u> Transmission of Notice of Appeal to District Court). (rdr) NOTE: Clerk docketed in error. Modified on 5/19/2021 (aw). (Entered: 05/19/2021)
05/19/2021		<u>142</u>	Appellant Designation of Contents For Inclusion in Record On Appeal (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election filed by Creditor Zions Bancorporation, N.A., Requestor Zions

			Bancorporation, N.A.). Appellee designation due by 06/4/2021. (Attachments: # <u>1</u> Certificate of Service) Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 05/19/2021)
05/19/2021		<u>143</u>	Statement of Issues on Appeal, (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election filed by Creditor Zions Bancorporation, N.A., Requestor Zions Bancorporation, N.A.). (Attachments: # <u>1</u> Certificate of Service) Filed by Creditor Zions Bancorporation, N.A. (Fletcher, Michael) (Entered: 05/19/2021)
05/19/2021			Transcript Record Transmittal (Court transcript records have been uploaded) for Order Number: 21-50028-140 Regarding Hearing Date: 5/18/2021. Transcription Service Provider: e-Scribers, Contact Information: operations@escribers.net (RE: related document(s) <u>140</u> Transcript Order Form (Judge Request)). (aw) (Entered: 05/19/2021)
05/20/2021		144	Acknowledgment of Request for Transcript Received on 5/19/2021. (RE: related document(s) <u>140</u> Transcript Order Form (Judge Request)). (Gottlieb, Jason) (Entered: 05/20/2021)
05/25/2021		<u>145</u>	Transcript regarding Hearing Held 5/18/2021 RE: MOTION TO DISMISS LIQUIDATION FILED BY CENTENNIAL BANK, N.A.. THIS TRANSCRIPT WILL BE MADE ELECTRONICALLY AVAILABLE TO THE GENERAL PUBLIC 90 DAYS AFTER THE DATE OF FILING. Until that time the transcript may be viewed at the Bankruptcy Court or a copy may be obtained from the official court transcriber, eScribers, LLC - 973-406-2250. eScribers, LLC; 973-406-2250. Notice of Intent to Request Redaction Deadline Due By 6/1/2021. Redaction Request Due By 06/15/2021. Redacted Transcript Submission Due By 06/25/2021. Transcript access will be restricted through 08/23/2021. (Gottlieb, Jason) (Entered: 05/25/2021)
05/26/2021		<u>146</u>	Brief/Memorandum in Opposition to (RE: related document(s) <u>76</u> Objection). Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 05/26/2021)
05/26/2021		<u>147</u>	Declaration of Evander Kane in support of (RE: related document(s) <u>146</u> Opposition Brief/Memorandum). Filed by Debtor Evander Frank Kane (Finestone, Stephen) (Entered: 05/26/2021)
05/27/2021		<u>148</u>	BNC Certificate of Mailing (RE: related document(s) <u>145</u> Transcript). Notice Date 05/27/2021. (Admin.) (Entered: 05/27/2021)
05/28/2021		<u>149</u>	Third Stipulation to Extend Time (<i>Third Stipulation to Entry of Order Extending Date for Filing Complaint (11 U.S.C. Section 727)</i>) Filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane (RE: related document(s) <u>105</u> Order on Stipulation). (Kleiner, Gregg) (Entered: 05/28/2021)
05/28/2021		<u>150</u>	Third Order Extending Date for Filing Complaint Objecting to Discharge (11 U.S.C. Section 727) (RE: related document(s) <u>149</u> Stipulation to Extend Time filed by Trustee Fred Hjelmset, Debtor Evander Frank Kane). (al) (Entered: 05/28/2021)
05/28/2021		<u>151</u>	Order Denying Motion to Dismiss (Related Doc # <u>83</u>) (al) (Entered: 05/28/2021)
06/01/2021		<u>152</u>	

			Amended Order Denying Motion to Dismiss (RE: related document(s) <u>151</u> Order on Motion to Dismiss Case). (al) (Entered: 06/01/2021)
06/02/2021		<u>153</u>	Reply of Zionsbancorporation, N.A. in Support of Objection to Homestead Exemption (RE: related document(s) <u>74</u> Objection to Homestead Exemption). Filed by Creditor Zions Bancorporation, N.A. (Attachments: # <u>1</u> Certificate of Service) (Warrington, Gerrick) (Entered: 06/02/2021)
06/02/2021		<u>154</u>	Brief/Memorandum in support of <i>Evidentiary Objections to Declaration of Evander Frank Kane re Opposition to Homestead Exemption Objection by Zions Bancorporation, N.A.</i> (RE: related document(s) <u>153</u> Reply, <u>147</u> Declaration). Filed by Creditor Zions Bancorporation, N.A. (Warrington, Gerrick). CORRECTIVE ENTRY: Clerk added linkage to document(s) #147. DEFECTIVE ENTRY: Incorrect event code selected. Modified on 6/3/2021 (ka). (Entered: 06/02/2021)
06/03/2021		<u>155</u>	Certificate of Record Re: (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election). (tp) (Entered: 06/03/2021)
06/03/2021		<u>156</u>	Transmission of Record on Appeal to District Court (RE: related document(s) <u>115</u> Notice of Appeal and Statement of Election). (Attachments: # <u>1</u> Certificate of Record # <u>2</u> Record on Appeal Documents) (tp) (Entered: 06/03/2021)
06/03/2021		<u>157</u>	Stipulation to Extend Time Filed by Debtor Evander Frank Kane (RE: related document(s) <u>51</u> Order on Stipulation). (Finestone, Stephen) (Entered: 06/03/2021)
06/04/2021		<u>158</u>	Certificate of Record Re: (RE: related document(s) <u>113</u> Notice Regarding Appeal). (ka). NOTE: Due to incorrect event code used on doc #113 clerk added linkage to document(s) #113 and removed linkage from document(s) 115. Modified on 6/4/2021 (ka). (Entered: 06/04/2021)

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

In re:

EVANDER F. KANE,

Debtor.

Case No. 21-50028 SLJ

Chapter 7

APPELLANT SOUTH RIVER CAPITAL, LLC'S DESIGNATION OF RECORD
AND ISSUES ON APPEAL

A. DESIGNATION OF RECORD

Designation of Record	Docket Number	Description of Document
	1	Chapter 7 Petition, Schedules & Statement of Financial Affairs
	13	Notice of Possible Dividend
	17	Amended Schedule A/B
	18	Amended Schedules D & E/F
	19	Amended Statement of Financial Affairs
	29	Amended Statement of Financial Affairs
	30	Amended Schedules A/B & J
	33	Motion By Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee; Memorandum of Points

1		& Authorities
2	33-1	Declaration of Michael Toal in Support of Zions Bancorporation's Motion to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
3	33-2	Declaration of Gerrick M. Warrington in Support of Zions Bancorporation's Motion to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
4	37	Amended Schedules A/B & C
5	38	Notice of Hearing on Shortened Notice on Motion by Creditor Zions Bancorporation, N.A. to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
6	41	Joinder by Creditor Professional Bank in Motion by Creditor Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
7	42	Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts
8	42-1	Declaration of Fred Hjelmeset in Support of Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts
9	43	Notice and Opportunity for Hearing on Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts [No Hearing Required Unless Requested]
10	49	South River Capital LLC's Joinder in Motion by Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
11	57	Joinder of Sure Sports LLC in Support of Motion by Creditor Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
12	63	Joinder by Creditor Lone Shark Holdings LLC in Support of Motion by Creditor Zions Bancorporation to Convert Case to Chapter 11 and Appoint Chapter 11 Trustee
13	65	Debtor's Opposition to Motion to Convert and for Appointment of Chapter 11 Trustee
14	65-1	Declaration of Evander Kane in Support of Debtor's Opposition to Motion to Convert and for Appointment of Chapter 11 Trustee
15	65-2	Exhibit A to Declaration of Evander Kane in Support of Debtor's Opposition to Motion to Convert and for Appointment of Chapter 11 Trustee
16	65-3	Declaration of John Fiero in Support of Debtor's Opposition to Motion to Convert and for Appointment of Chapter 11 Trustee
17	74	Objection by Creditor Zions Bancorporation, N.A. to Debtor Evander Frank Kane's Homestead Exemption
18	74-1	Declaration of Gerrick M. Warrington in Support of Objection by Creditor Zions Bancorporation, N.A. to Debtor

		Evander Frank Kane's Homestead Exemption
	75	Notice of Hearing on Objection by Creditor Zions Bancorporation, N.A. to Debtor Evander Frank Kane's Homestead Exemption
	76	Objection by Creditor Zions Bancorporation, N.A. to Chapter 7 Trustee's Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts; Request for Hearing Pursuant to B.L.R. 9014-1(b)(3)(A)
	76-1	Declaration of Michael Gerard Fletcher in Support of Objection by Creditor Zions Bancorporation, N.A. to Chapter 7 Trustee's Motion for Authority to Convey Estate's Equity in Real Estate and Resolve Dispute Concerning Bank Accounts; Request for Hearing Pursuant to B.L.R. 9014-1(b)(3)(A)
	77	Reply in Support of Creditor Zions Bancorporation's Motion to Convert to Chapter 11 and Appoint Chapter 11 Trustee
	77-1	Declaration of Garrick M. Warrington in Support of Reply in Support of Creditor Zions Bancorporation's Motion to Convert to Chapter 11 and Appoint Chapter 11 Trustee
	78	Reply by Creditor Professional Bank in Support of the Motion by Creditor Zions Bancorporation to Convert to Chapter 11 and Appoint Chapter 11 Trustee
		Transcript of Hearing on March 30, 2021 on Zions Bancorporation's Motion to Convert to Chapter 11 and Appoint Chapter 11 Trustee
	101	Order Denying Motion to Convert
	113	Notice of Appeal-Creditor South River Capital, LLC
	114	Statement of Election-Creditor South River Capital, LLC
	115	Notice of Appeal and Statement of Election to Have Appeal Heard by District Court-Creditor Zions Bancorporation, N.A.
	117	Notice of Service by Clerk of Doc. 113
	118	Notice of Service by Clerk of Doc. 115
	124	Transcript Order Form-Motion to Convert Ch. 11 by South River Capital, LLC
	127	Transmittal of Notice of Appeal to District Court re: Docs. 113 and 117
	128	Acknowledgment of Request for Transcript re: Doc. 124
	129	Acknowledgment Letter from District Court Re: Doc. 113

B. ISSUES ON APPEAL

1. Did the Bankruptcy Court err in denying the motion of four creditors, including appellant South River Capital, LLC ("South River"), to convert the Chapter 7 bankruptcy case of

1 Evander Frank Kane (the “Debtor”), (Case No. 21-50028 SLJ) to a case under Chapter 11
2 pursuant to Bankruptcy Code § 706(b) (the “Conversion Motion)?

3 2. Did the Bankruptcy Court apply the wrong legal standard when denying the
4 Conversion Motion?

5 3. Did the Bankruptcy Court err when it applied a new rule that a party moving to
6 convert a case to one under Chapter 11 must establish “with certainty” that adding an individual
7 debtor’s wages will provide a specific additional recovery for creditors?

8 4. Did the Bankruptcy Court err when it applied a new rule that a party moving to
9 convert a case to one under Chapter 11 must guarantee it can confirm a substantially consensual
10 plan of reorganization that meets all requirements under 11 USC § 1129. *Contra, In re Baker*,
11 503 B.R. 751, 750 (Bankr. MD Fla 2013)

12 5. Did the Bankruptcy Court err when it found that the Debtor’s history of gambling
13 and spending created a likelihood that the case would be immediately reconverted to one under
14 chapter 7 under Bankruptcy Code Section 1112(b)(4)(A), when it rejected the exact allegations
15 when considering whether to appoint a trustee in Chapter 11?

16 6. Did the Bankruptcy Court err when it found that the Debtor would not benefit
17 from converting the case to Chapter 11 since the continuation of the automatic stay would
18 prevent all creditors from pursuing the Debtor’s assets during the life of the plan? 11 USC
19 §1141(d)(5)(A); 11 USC § 362(c)(2)(C)?

20 Dated: May 18, 2021

BINDER & MALTER, LLP

21
22 By: /s/ Wendy Watrous Smith
23 Wendy Watrous Smith, Attorneys for
24 Appellant South River Capital LLC
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8
9 **UNITED STATES BANKRUPTCY COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

11 In re:

12 EVANDER F. KANE,
13

Case No. 21-50028 SLJ

Chapter 7

14 **CERTIFICATE OF SERVICE**

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16 Debtor.
17

18 I declare that:

19 I am employed in the County of Santa Clara, California. I am over the age of eighteen years
20 and not a party to the within entitled cause; my business address is 2775 Park Avenue, Santa Clara,
21 California 95050. May 18, 2021, I served the following:

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11 **DESIGNATION OF RECORD AND ISSUES ON APPEAL**

12 (BY ELECTRONIC SERVICE) I caused the above true and correct copy of said document
13 to be served via ECF.

14 Executed on May 18, 2021 at Santa Clara, California. I certify under penalty of perjury that
15 the foregoing is true and correct.

16 /s/Andrea Lorenz

17 Andrea Lorenz

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CERTIFICATE OF SERVICE